

ELECTRONICALLY FILED
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Counsel for the Official Committee Of
Equity Security Holders Of USA Capital First Trust Deed Fund, LLC

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:
USA COMMERCIAL MORTGAGE COMPANY,
Debtor.

BK-S-06-10725-LBR
Chapter 11

In re:
USA CAPITAL REALTY ADVISORS, LLC,
Debtor.

BK-S-06-10726-LBR
Chapter 11

In re:
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,
Debtor.

BK-S-06-10727-LBR
Chapter 11

In re:
USA CAPITAL FIRST TRUST DEED FUND, LLC,
Debtor.

BK-S-06-10728-LBR
Chapter 11

In re:
USA SECURITIES, LLC,
Debtor.

BK-S-06-10729-LBR
Chapter 11

Affects

- ☐ All Debtors
☐ USA Commercial Mortgage Co.
☐ USA Securities, LLC
☐ USA Capital Realty Advisors, LLC
☐ USA Capital Diversified Trust Deed
☒ USA First Trust Deed Fund, LLC

Date: September 28, 2006
Time: 9:30 a.m.
Place: Courtroom #1

**DECLARATION OF MATTHEW E. KVARDA IN SUPPORT OF FIRST INTERIM APPLICATION OF
ALVAREZ & MARSAL, LLC AS FINANCIAL AND REAL ESTATE ADVISOR FOR THE OFFICIAL
COMMITTEE OF EQUITY SECURITY HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND,
LLC FOR ALLOWANCE AND PAYMENT OF FEES AND EXPENSES FOR THE PERIOD FROM
JUNE 1, 2006 THROUGH JULY 31, 2006 (AFFECTS USA CAPITAL FIRST TRUST DEED FUND, LLC)**

DECLARATION OF MATTHEW E. KVARDA

I, Matthew E. Kvarda do hereby declare and state as follows:

1. I am a Director in the firm of Alvarez & Marsal, LLC ("A&M" or the "Firm"), financial and real estate advisor to the FTD Fund Committee (the "Committee"). If called, I could testify to the matters set forth below from my own knowledge and belief.

2. A&M seeks an interim award of compensation for services rendered during the period from June 1, 2006 through July 31, 2006 covered by the attached First Application (as defined therein) in the amount of \$168,370.61 representing professional fees of \$166,030.93 (net of \$29,299.58 in fee reductions) for 435.1 hours of services rendered plus \$2,339.68 as reimbursement for expenses incurred.

3. To the best of my knowledge, the attached First Application complies with billing guidelines established by the Office of the United States Trustee.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 31st day of August 2006 in Los Angeles, California.

Alvarez & Marsal, LLC
633 West Fifth Street
Suite 2560
Los Angeles, California 90071

Financial and Real Estate Advisor to the
Official Committee Of
Equity Security Holders Of USA Capital
First Trust Deed Fund, LLC

By: 

Matthew E. Kvarda